

LABEL IN PART: "Chilean Paprika Standard."

LIBELED: 5-29-57, E. Dist. Mo.

CHARGE: 402 (a) (3)—contained insect fragments and rodent excreta when shipped.

DISPOSITION: 6-26-57. Default—destruction.

23994. Poppyseed and caraway seed. (F. D. C. No. 39761. S. Nos. 56-392/3 M.)

QUANTITY: 2 bags, 105 lbs. each, of poppy seed, and 6 bags, 100 lbs. each, of caraway seed, at Duluth, Minn.

SHIPPED: 9-21-56, from Chicago, Ill.

LIBELED: 11-10-56, Dist. Minn.

CHARGE: 402 (a) (3)—contained rodent urine while held for sale.

DISPOSITION: 12-27-56. Default—denatured for animal feed.

23995. Salad mix. (F. D. C. No. 39762. S. No. 27-082 M.)

QUANTITY: 29 cases, 12 1-pt. jars each, at Jackson, Miss.

SHIPPED: 8-17-56, from Crowley, La., by Tiffe's Fine Food Products.

LABEL IN PART: (Jar) "Tiffe's Wop Salad Mix."

RESULTS OF INVESTIGATION: Examination showed the article was undergoing decomposition.

LIBELED: 11-9-56, S. Dist. Miss.

CHARGE: 402 (a) (3)—contained a decomposed substance when shipped.

DISPOSITION: 12-13-56. Default—destruction.

23996. Salad mix. (F. D. C. No. 39760. S. No. 43-295 M.)

QUANTITY: 6 cases, 12 jars each, at Memphis, Tenn.

SHIPPED: 8-19-56, from Crowley, La., by C. Derousselle.

LABEL IN PART: (Jar) "Tiffe's Wop Salad Mix * * * Contents Half Pint."

RESULTS OF INVESTIGATION: Examination showed the article was undergoing decomposition.

LIBELED: 11-9-56, W. Dist. Tenn.

CHARGE: 402 (a) (3)—contained a decomposed substance when shipped.

DISPOSITION: 12-11-56. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

23997. Bernalac and cream of celery soup base. (F. D. C. No. 38601. S. Nos. 27-735 L, 7-376 M, 7-379 M, 16-063 M.)

INFORMATION FILED: 6-7-56, N. Dist. Calif., against Bernard Food Industries, Inc., San Jose, Calif., and Frank S. Bernard, President.

SHIPPED: Between 9-4-53 and 3-29-55, from California to Washington, Nevada, and Colorado.

LABEL IN PART: (Can) "Bernard Bernalac Net Weight 16 oz. Fortified with Vitamins" or "Bernard Barnalac Net Weight 4 lbs." and (Jar) "Bernard Salt Free—Low Sodium Cream of Celery Soup Base Net Wt. 12 ozs. Sodium Content—1.25 mg. of sodium per 100 gm of dry base by Spectrophotometric

*See also Nos. 23901, 23911.

determination. An 8 oz. serving of the finished product contains less than 1 mg of all sodiums."

CHARGE: Bernalac. 402 (b) (1)—valuable constituents, vitamins A, B₁, B₂, B₁₂ and niacinamide, had been in part omitted from the article in the Washington and Nevada shipments; 402 (b) (2)—nonfat dry milk solids were substituted in whole or in part for "Bernalac—a Low Sodium, High Value Protein, Food Supplement—Fortified with Vitamins and Minerals, Calcium, Potassium and Phosphorus" which the article in the Washington shipment purported to be; 403 (a)—the statement "including Sodium * * * 0.15%" on the label of the article in the Colorado shipment was false and misleading since the article contained substantially more than the stated quantity of sodium; and 403 (j)—the article in the Colorado shipment purported to be and was represented as a food for special dietary use by reason of its restricted sodium content, and its label failed to bear, as required by regulations, a statement of the number of milligrams of sodium per 100 grams of the article and a statement of the number of milligrams of sodium in an average serving of the article.

Cream of celery soup base. 403 (a)—the label declaration of sodium content was false and misleading as applied to the article which contained substantially more than the stated quantity of sodium; and 403 (j)—the article purported to be and was represented as a food for special dietary use by reason of its restricted sodium content, and its label failed to bear, as required by regulations, a statement of the number of milligrams of sodium per 100 grams of the article, and a statement of the number of milligrams of sodium in an average serving of the article.

PLEA: Nolo contendere by the corporation to all 4 counts of the information, and by the individual to 3 counts.

DISPOSITION: 9-18-56. Individual—\$3 fine; corporation—\$1,000 fine.

23998. Hadacol. (F. D. C. No. 39797. S. No. 30-863 M.)

QUANTITY: 51 24-oz. btls. and 34 8-oz. btls., at Louisville, Ky.

SHIPPED: On an unknown date, from Lafayette, La.

RESULTS OF INVESTIGATION: Analysis showed that the article contained less than the declared amounts of vitamins B-1 and B-2.

LIBELED: 12-3-56. W. Dist. Ky.

CHARGE: 402 (b) (1)—valuable constituents, vitamins B-1 and B-2, had been in part omitted or abstracted from the article while held for sale; and 403 (a)—the label statement "contains the vitamins B-1 * * * 6 milligrams * * * and B-2 * * * 4 milligrams" was false and misleading.

DISPOSITION: 3-5-57. Default—destruction.

23999. Canned dietetic tuna. (F. D. C. No. 40097. S. Nos. 54-035/6 M.)

QUANTITY: 47 cases, 48 cans each and 46 cases, 24 cans each, at Seattle, Wash.

SHIPPED: 11-23-56, from Astoria, Oreg., by Van Camp Seafood Co., Inc.

LABEL IN PART: (Can) "White Star * * * 6½ ounces * * * Bite Size * * * Dietetic Pack Tuna * * * A special purpose food low in fat, cholesterol and sodium."

LIBELED: 3-12-57, W. Dist. Wash.

CHARGE: 403 (j)—the article purported to be and was represented as a food for special dietary use by reason of its use as a means of regulating the intake of sodium, and, when shipped, its label failed to bear, as required by regula-